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Attorneys for Plaintiffs,  
WARNER BROS. RECORDS INC.;  
VIRGIN RECORDS AMERICA, INC.;  
UMG RECORDINGS, INC.; SONY BMG  
MUSIC ENTERTAINMENT; ARISTA  
RECORDS LLC; and FONOVisA, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WARNER BROS. RECORDS INC., a Delaware  
corporation; VIRGIN RECORDS AMERICA,  
INC., a California corporation; UMG  
RECORDINGS, INC., a Delaware corporation;  
SONY BMG MUSIC ENTERTAINMENT, a  
Delaware general partnership; ARISTA  
RECORDS LLC, a Delaware limited liability  
company; and FONOVisA, INC., a California  
corporation,

Plaintiffs,

v.

JOSE GONZALEZ,

Defendant.

CASE NO. C 07-03554 EMC

Honorable Edward M. Chen

***EX PARTE APPLICATION TO CONTINUE  
CASE MANAGEMENT CONFERENCE  
AND [PROPOSED] ORDER***

Plaintiffs hereby request that the Court continue the case management conference currently set for October 17, 2007, at 1:30 p.m. to January 16, 2008. Plaintiffs filed the Complaint against Defendant on July 10, 2007. Defendant has not yet been served. Plaintiffs have attempted personal service on Defendant, but have discovered that the address Plaintiffs have on file for Defendant is not, or is no longer, correct. Plaintiffs are still attempting personal service on Defendant, and are attempting to determine Defendant's correct address. If Plaintiffs are unable to effect personal service on Defendant, Plaintiffs will attempt alternative forms of service. Plaintiffs therefore respectfully request to continue the case management conference so that Plaintiffs may continue to attempt to serve Defendant.

DATED: October 10, 2007

HOLME ROBERTS & OWEN LLP

By: /s/ Matthew Franklin Jaksa  
Matthew Franklin Jaksa  
Attorney for Plaintiffs

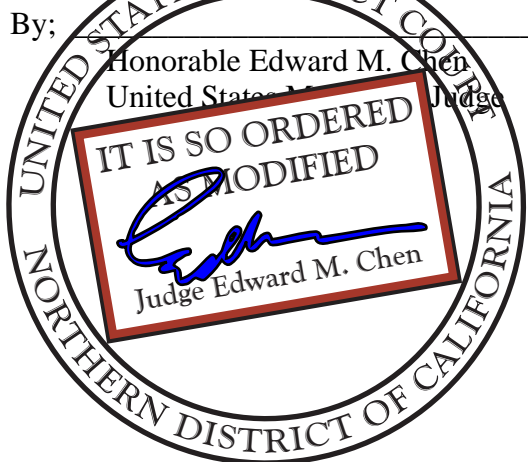
### **ORDER**

Good cause having been shown:

**IT IS ORDERED** that the case management conference currently scheduled for October 17, 2007, at 1:30 p.m. to January 16, 2008. A CMC Statement shall be filed by 1/9/08.

Dated: October 15, 2007

By: Honorable Edward M. Chen  
United States District Judge



**PROOF OF SERVICE**

STATE OF CALIFORNIA, CITY AND COUNTY OF SAN FRANCISCO

I am employed in the office of Holme Roberts & Owen in San Francisco, California. I am over the age of eighteen years and not a party to the within action. My business address is 560 Mission Street, 25th Floor, San Francisco, CA 94105.

On October 10, 2007, I served the foregoing documents described as:

**EX PARTE APPLICATION TO CONTINUE CASE MANAGEMENT CONFERENCE AND  
[PROPOSED] ORDER**

on the interested party in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

**Jose Gonzalez  
2548 Camara Circle  
Apt. C  
Concord, CA 94520**

XX BY MAIL: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

XX (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on October 10, 2007 at San Francisco, California.



Molly Morris